



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: KIM, Young J.
RAMIREZ-VICK, Jaime E.) Art Unit: 1637
Application Serial No. 10/029,113) Confirmation No. 2617
Filed: December 19, 2001) Attorney's Docket No. 25527-0001 C1
For: REVERSIBLE BINDING OF) Customer No. 25213
MOLECULES TO METAL)
SUBSTRATES THROUGH AFFINITY)
INTERACTIONS)

EXPRESS MAIL LABEL NO. EV 582 627 901 US
DATE MAILED: FEBRUARY 10, 2005

TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321(c)

MAIL STOP AMENDMENT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia. 22313-1450

Dear Sir:

1. The owner, Iris Biotechnologies, Inc., having a principal place of business at 5201 Great America Parkway, Suite 320, Santa Clara, California 95054, represents that it is the owner of the entire right, title and interest in the invention disclosed and claimed in the above-identified patent application, as recorded with the U.S. Patent and Trademark Office at reel 012610 and frame 0085 recording the assignment of the parent application 09/571,084. Iris Biotechnologies, Inc. is also the owner of the entire right, title and interest in the invention disclosed in U.S. Patent Application Serial No 10/333,697, as recorded with the U.S. Patent and Trademark Office at reel 013445 and frame 0035.

Iris Biotechnologies, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, as presently shortened by any terminal disclaimer, of a patent issuing from U.S. Patent Application Serial No. 10/333,697. The owner hereby agrees

that any patent so granted on the instant application shall be enforceable only for and during such period that it and such patent(s) issuing from U.S. Patent Application Serial No. 10/333,697 are commonly owned. This agreement runs with any patent granted on the instant application, and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term of such a patent issuing from U.S. Patent Application Serial No. 10/333,697 as defined in 35 U.S.C. §§154 to 156 and 173, as presently shortened by any terminal disclaimer, or in the event that it later is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole, or terminally disclaimed under 37 C.F.R. §1.321; has all claims canceled by a re-examination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

2. For submission on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

3. I hereby declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issued thereon.

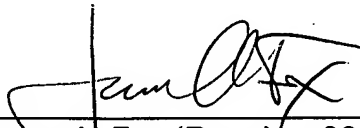
4. The undersigned is an attorney of record.

5. The Commissioner is authorized to charge any fees, including any fees for extension of time, or credit overpayment to Deposit Account No. **08-1641** (Attorney's Docket No. **25527-0001 C1**).

Respectfully submitted,

Date: February 10, 2005

By:


James A. Fox (Reg. No. 38,455)

HELLER EHRMAN WHITE & McAULIFFE LLP

275 Middlefield Road

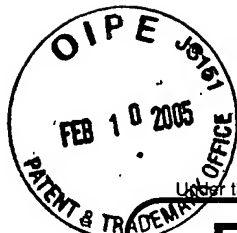
Menlo Park, California 94025

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2/10/05 1:38 PM (25527.0001)



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**65.00**

Complete if Known

Application Number	10/029,113
Filing Date	DECEMBER 19, 2001
First Named Inventor	RAMIREZ-VICK, JAIME E.
Examiner Name	KIM, YOUNG J.
Art Unit	1637
Attorney Docket No.	25527-0001 C1

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: **08-1641 (25527-0001 C1)**

Deposit Account Name: **HELLER EHRMAN WHITE & McAULIFFE LLP**

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1,100	2503	550	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) TERMINAL DISCLAIMER					65.00
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)	(\$) 65.00

FEE CALCULATION

1. BASIC FILING FEE					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	300	2001	150	Utility filing fee	
1002	200	2002	100	Design filing fee	
1003	200	2003	100	Plant filing fee	
1004	300	2004	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	
SUBTOTAL (1)				(\$)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims -20** = X =

Independent Claims -3** = X =

Multiple Dependent =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	50	2202	25	Claims in excess of 20	
1201	200	2201	100	Independent claims in excess of 3	
1203	360	2203	180	Multiple dependent claim, if not paid	
1204	200	2204	100	** Reissue independent claims over original patent	
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY				(Complete if applicable)	
Name (Print/Type)	JAMES A. FOX	Registration No. (Attorney/Agent)	38,455	Telephone	(650) 324-7000
Signature		Date	FEBRUARY 10, 2005		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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